

TOWN OF KITTERY, MAINE
PLANNING BOARD MEETING
Council Chambers

APPROVED
November 29, 2012

Meeting called to order at 6:07 p.m.

Board Members Present: Deborah Driscoll, Tom Emerson, Susan Tuveson, Bob Melanson, Rich Balano

Members absent: Ann Grinnell

Staff: Gerry Mylroie, Town Planner; Chris Di Matteo, Assistant Planner

Pledge to the Flag

Minutes: November 8, 2012

Ms. Tuveson moved to accept the minutes of November 8, 2012 as amended

Ms. Driscoll seconded

Motion carried unanimously by all members present

Public Comment:

Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

PUBLIC HEARING

ITEM 1 – Kittery Center/ Municipal Center / Circle of Honor – Modifications to an Approved Plan. Action: Hold a Public Hearing, review plan and grant or deny preliminary/final approval. The Town of Kittery in conjunction with the Thresher Memorial Project Group proposes to create a Circle of Honor memorial area on the east side of Town Hall. The purpose is to enable the recognition of all men and women from Kittery that have given their lives in service to the Nation. The area is located at 200 Rogers Road in the Business Local (B-L) Zone and identified as Map 22 Lot 20A and 20. Town representative is Gerald Mylroie, AICP, Town Planner.

Mr. Mylroie summarized the Thresher Memorial Project Group proposal:

1. 129-foot flagpole in the center of Memorial Circle, with related landscaping and improvements. The pole would be centered on a 30-foot diameter circle, with a black stone base and cobblestones leading up to the pole. The location could also accommodate other memorials in the future. He noted Council has approved the flag pole installation.
2. A memorial courtyard (Circle of Honor) adjacent to the Town Hall with memorial plaques, memorial bell, and embossed bricks to honor veterans. Others have suggested the inclusion of sculptures, fountains, etc. that may be considered pending fundraising efforts.

The Public Hearing opened at 6:23 p.m.

Martha Peterson, read a letter to the Planning Board (attached) from a group of concerned citizens.

Susan Emery, School Lane, concurred with the letter's concerns and thought more effort to solicit public input should have been made. The proposed plan is too reminiscent of Washington, DC and does not reflect Kittery's more rural character.

Peter Bowman, applauded the efforts put into the Thresher Memorial project to date. As a supporter of the letter, he would like to see additional public input in the project. The symbolism of the 129-foot flag pole would be lost at the proposed location due to traffic patterns around Memorial Circle. He strongly urged the Board to adopt the recommendations presented in the letter.

D. Allan Kerr, Colonial Road, presented a photo board of the men lost on the Thresher. He asked why the opposition to the design is so late in the process. There will be no need for people to cross to the circle, as the memorial with the names of those lost will be located in the memorial park. Four markers noting the name and date will be placed along the perimeter of the circle. The flagpole will be viewed from the memorial park via the rain garden. The project is a fitting memorial to the lives lost and their families.

Gary Beers, Thresher Memorial Group, noted the numerous meetings held in the design process were open to the public for input. The proposal has been viewed and endorsed by Submarine Veterans Inc., Thresher Based Chapter. There is a \$93,000 budget with \$74,000 raised to date from donations based on the proposed design. The Council has endorsed the placement of the 129-foot flagpole, and has received a building permit. The MDOT is reviewing as well, for safety considerations, and a permit is expected. The Thresher Memorial Project Group has sought public input and has issued regular press releases regarding the project.

William McDonough, the existing trees in the circle were to be re-located in rain garden. He recommended the trees in the circle should stay and the flagpole be placed in the front center of the circle, where the existing set of flags are located.

David Lincoln, Shepards Cove, presented photos of the traffic circle as it currently exists to each Board member. He asked if the flagpole placement went through the Planning Board process; and did the rain garden project go through the Planning Board process? The proposed Circle of Honor cannot be seen from the traffic circle area through the rain garden. He recommended the Board review the plans for the rain garden, specifically as it abuts the shopping plaza. Couldn't the Thresher memorial be located in the park area rather than in three separate areas, where it is more accessible?

Wendy Pomeroy noted she approached the committee with her concerns. Though this is privately funded, the memorial is for the entire community and those impacted by the tragedy.

Melissa Paley, Kittery Point, this project is on public land and asks why a RFP process has not been pursued for public land development. She was not aware of any request for public input and discussion.

Mr. Emerson stated he believes the Town Council would need to approve any projects on public land.

Peter McLeod, Norton Road, spoke of his recollection of the tragedy as a young child. He felt the noisy and busy location is not suitable for this memorial. It is important to memorialize the loss, but this will not be a destination memorial.

Ray Yarnell, Shepards Cove, asked for a summation of the approval process.

Mr. Emerson explained the process began as an application with a sketch plan, which the Board reviewed and accepted. The project is still before the Board and under review. The location of the flagpole was granted through a Land Use Code amendment in 2011 that also went through the review process. The rain garden was not brought before the Board prior to construction, and the memorial park area has not been approved. It is possible to have approval of some parts of the proposal, but not others, as the Board wishes.

There was no further public testimony.

The Public Hearing closed at 7:05 p.m.

Mr. Mylroie responded to the letter read to the audience and Board. He explained his role in designing the memorial began with the 129-foot flag pole approved by the Planning Board and adopted by Council through a change in the Land Use Code. He explained how the memorial park, Memorial Circle, and development of the rain garden evolved to link the proposal from one location to another. He addressed the types of materials for the flag pole base, memorial markers, Thresher signage, etc.

Mr. Emerson noted his concerns of the proposal, specifically:

- Parking in Town Hall employee lot for access to the memorial park,
- Navy Museum memorials,
- There is no specific plan, sketches only,

- Potential of pedestrians crossing Rogers Road to access the memorials,
- Impact on the rain garden, as it is an engineered design,
- Methods to prevent pedestrian's crossing traffic to the Memorial Circle,
- Other than the flagpole itself, a full landscape and design plan is needed, including proposed materials, and it needs to be tied in with the existing site and engineered plans.

Mr. Melanson noted the objective is to have the flagpole in place for a dedication ceremony.

Mr. Beers stated they hope to have a hole dug prior to freezing, with pole installation and lighting installed approximately two weeks prior to the dedication ceremony on April 7, 2013.

Mr. Emerson reminded the Board an ordinance change is needed to address LED lighting.

Ms. Tuveson suggested the groups work together to address landscaping and design. **Mr. Beers** stated the group had been invited to participate in the planning process and should they wish to participate in further discussion they are welcomed. As this is privately funded, any changes would have to be funded, as well.

Mr. Melanson moved to continue this review to include a landscape plan, ornamentation and pedestrian movement plan for the Memorial Circle, to include engineered plans for the rain garden and a landscape, ornamentation, and design plan for the memorial park.

Ms. Tuveson seconded

Ms. Driscoll suggested continuing discussion on all designs except the flag pole, and to remove the sidewalks in the rain garden, and to re-plant and shade/buffer the existing plaza.

Mr. Melanson withdrew his motion

Mr. Melanson moved to continue review of the Kittery Center/ Municipal Center / Circle of Honor – Modifications to an Approved Plan, subject to submittal of:

1. A landscape plan, including tree removal and transplants, appropriate pedestrian cautions, and ornamentation plans for the Memorial Circle;
2. A grading, ornamentation, and landscape plan for the rain garden;
3. A landscape, design and grading plan, including proposed ornamentation, for the memorial park area.

Ms. Tuveson seconded

Mr. Mylroie noted the flagpole base and removal of trees from the center has been submitted, and asked if the Board is accepting this. **Mr. Melanson** stated the proposal for landscaping needs to be re-submitted, in addition to ornamentation. **Ms. Tuveson** noted the flagpole installation has been approved.

Ms. Tuveson proposed to amend the motion to exclude the installation of the flag pole from the motion as it has received prior approval.

Ms. Driscoll seconded

Ms. Driscoll asked about the existing landscaping where the flagpole will be installed. **Mr. Emerson** stated if the amendment is approved, the center tree and four surrounding trees would be removed to allow for the installation.

The amendment carried unanimously

The original motion carried unanimously

End of Item 1

Break

ITEM 2 – Kittery Center / Memorial Circle and Related Improvement Plan.

The Maine Department of Transportation (MDOT) Locally Administered Project consultants will discuss the planning process for the re-design of Memorial Circle and related improvements including pedestrian access along State Route 236 (Rogers Road) from Frisbee Commons to Adams Drive and U.S. Route One. Representatives from Wright Pierce Engineers, and Gorrill-Palmer traffic engineers, will present progress to date, obtain feedback and answer questions.

John Edgerton, Wright-Pierce introduced Jennifer Claster, Wright-Pierce and Tom Gorrill, Gorrill-Palmer. He noted since the October meeting, they have met with MDOT regarding the community's interests. They hope to move from preliminary to conceptual design following the input from this meeting. Items of interest from the prior meeting included:

1. Adams Drive/Ox Point Drive – ROW access is still unresolved to encourage bicycle and pedestrian access to this area from Rogers Road and Route 1.
2. Rogers Road Extension and the impact on historical society – Following additional review, it has been determined there will be no impact on parking in the front of the museum, while still providing safe pedestrian passage.
3. Combination of Old Post Road and by-pass off ramp
4. General discussion seemed to prefer a sidewalk along the south side of Rogers Road. Crosswalk locations and site visibility need further review.

Ms. Driscoll asked why there is a need for state and federal input on the Adams Drive portion of review.

Mr. Edgerton explained their review is needed because of controlled access issues pertaining to highways. It is possible the ROW could be shifted, allowing for a sidewalk along Route 1 rather than Adams Drive.

Mr. Melanson asked about the possibility of shifting Rogers Road to allow for a sidewalk. **Mr. Edgerton** explained this would be a significant alteration to the roadway, including shifting the crown of the road and creating other maintenance issues. While not impossible, it is not an encouraging approach.

Ms. Claster identified changes to the plan:

1. Adams Drive – further discussion is needed.
2. Proposed shared use path along the weigh station area could include a reduction in commercial driveway accesses.
3. ROW information indicated parking and a sidewalk could be installed in front of the Historical Society. This design has not been finalized.
4. Shared use paths proposed around the south and west side of Memorial Circle connecting to Old Post Road, State Road and Rogers Road.
5. MDOT was not receptive to shifting the center line of Rogers Road, and the water tower side of the road was the preferred sidewalk location. Crosswalks were proposed at Goodsoe Road and north of the Shepards Cove entrance. There remain concerns about relocating telephone poles and historical structures.

[unidentified] Shepards Cove, requested a left turn lane be established at the Shepards Cove entrance.

[unidentified] Shepards Cove, concurs with the request for a left turn lane, noting there have been accidents at that location. Mr. Edgerton stated MDOT has data regarding high-crash areas and this could be reviewed, though widening that area is not part of the current review.

David Lincoln, challenged the need for a sidewalk on Rogers Road.

[unidentified] disagreed, stating walkers use Rogers Road all the time, and believes there is a need for a sidewalk.

[unidentified] asked for re-consideration of a sidewalk along the north side, rather than trying to place crosswalks across the Rogers Road to access a sidewalk, even if the road needs to be shifted.

Mr. Edgerton stated MDOT is not supportive of this alternative, though it may be preferred. **Ms. Claster** noted the location of the cemetery on the north side is too close to Rogers Road to allow for a sidewalk that meets design standards.

[unidentified] discussion regarding utility and gas lines along Rogers Road.

Peter McLeod suggested shifting the road in front of the cemetery to provide room for a sidewalk. He noted the use of traffic circle is limited with placement of a memorial in the circle.

Bill McCarthy stated he is not in favor of a sidewalk on Adams Drive; and the speed limit around and access to the traffic circle should be lowered.

Ms. Driscoll asked if there could be a tip down and up on either side of the cemetery so a sidewalk will not impact it. **Mr. Edgerton** explained this would impact the continuity of the sidewalk.

Mr. Emerson stated the location of the sidewalk at Adams Drive on the Route 1 side is preferred. He noted the location of the "Welcome to Maine" sign encourages parking for photographs and could be a safety hazard. The area is maintained by residents but trash accumulates and is an unsightly welcome. He asked about sidewalks on Old Post Road. **Mr. Edgerton** explained if Old Post Road and by-pass were reconstructed, a sidewalk could be part of that reconstruction, but this is not yet confirmed.

Peter McLeod stated he was not in favor of a sidewalk on Adams Drive.

Tom Gorrill summarized the October meeting appeared to support leaving the circle the way it is now. The proposed changes would include re-design of islands on each approach to the circle in an attempt to slow traffic. The ramp from the Route 1 by-pass could be removed from accessing the circle and combine with Old Post Road at some location. Another possibility to handle Rogers Road traffic to the circle would be to create a slip lane to the circle for this traffic heading to Route 236. **Ms. Driscoll** stated this could make the traffic worse as it impacts traffic exiting the circle to Route 1 north.

Discussion followed regarding

1. Combining the Old Post Road and by-pass ramp, including feasibility and ROW negotiations ruled by federal and state projects.
2. The time-line for improvements to the Route 236 overpass improvements were discussed, though no definitive completion date was identified.
3. Signage at the circle, utilizing yield signs instead of stop signs.
4. Removal of the traffic circle altogether, or removal of as many of the access roads as possible.

Ms. Tuveson asked about narrowing Rogers Road. This would lower traffic speed and allow for sidewalk room.

Mr. Edgerton asked for Board direction.

Mr. Emerson stated where there are crossings, there should be stop signs. In summary, people seemed to prefer placing sidewalks along the Goodsoe Road side; a sidewalk on the green space along Adams Road; there did not appear to be a consensus in utilizing a slip lane at the circle; limited interest in the Rogers Road extension; interest in coming off the by-pass to Old Post Road, with consideration given to emergency vehicle access; support of access changes to the circle; retain circle as it is. **Ms. Driscoll** stated a crosswalk at Meeting House Village should be considered if the sidewalk is constructed on the north side of Rogers Road. **Mr. McLeod** stated he is against crosswalks. **Ms. Claster** asked about the proposed shared-use path to the circle, around the south and west side of the circle. **Mr. Emerson** stated the concern is traffic around the circle. **Ms. Tuveson** noted shared use doesn't work in her opinion. **Mr. Mylroie** stated sidewalks should connect around the entire circle. Graphics and signage need to be improved and limited to avoid confusion. Pedestrian tables could be installed at crosswalks to calm traffic.

Donald Gray noted Council voted to not construct sidewalks on Adams Drive.

End of Item 2

ITEM 3 – Town Planner Items:

- A. Selected Commercial Recreation definition and LED lighting amendments to the code (pending)
- B. Proposed Overlay Zone (pending)
- C. Kittery Foreside outdoor seating evaluation (pending)
- D. Foreside Quality Improvement meeting to be held Wednesday, December 12 at 6:00 p.m.

Mr. Emerson re-iterated the need for the Planning Board to see projects proposed by the DPW and noted communications to the Town Manager in that regard. The DEP has granted an after-the-fact permit for the work conducted in the rain garden, but local approval has not been granted.

Mr. Melanson. moved to adjourn

Ms. Tuveson seconded

Motion carries unanimously by all members present.

The Kittery Planning Board meeting of November 29, 2012 adjourned at 9:50 p.m.

Submitted by Jan Fisk, Recorder – December 4, 2012

Attachment

November 29th, 2012

Dear members of the Kittery Planning Board:

We have been following the press about plans to build a memorial to the USS Thresher that sank in 1963, claiming the lives of 129 officers, crewmen, and military and civilian technicians. We are grateful to the group of citizens and elected officials who have taken the initiative to commemorate this tragic event that so deeply impacted the lives of many in Kittery. The group has worked tirelessly for years to conceptualize and fundraise for a memorial that will both honor the lives lost, and bring an important piece of history to the forefront of our community.

With all due respect to the Thresher Memorial Committee, we are concerned that the design being discussed has fundamental flaws, and, if realized, will result in a memorial that is poorly suited to its location and challenging to maintain going forward. We also feel that a more imaginative, less literal and derivative design would be more appropriate for this commemoration. We are a group of professional landscape designers and architects, senior Shipyard officials, and concerned citizens of Kittery who would like to work with the Thresher Memorial group to come up with a more suitable design to commemorate this important piece of Kittery's history

Memorials to great heroes, wars and significant events are an art form that date back many centuries. They come in many forms, from very literal depictions of generals on horses to more complex installations combining landscaping, sculpture and plaques. Large installations vary widely also, from the grand, cathedral-like World War II memorial to the more introspective, subtle and deeply-emotional Vietnam Memorial in Washington DC. There is no one right way to design a memorial – what makes a memorial work well is that

- it has a coherent vision and expresses clearly the intent of the memorial
- it is original
- its symbolism is readily understandable
- it is well-suited for its location.

With these criteria in mind, we have several concerns about the current design of the Thresher Memorial.

1. The multi-part design of the current Memorial, with a section adjacent the Town Office, another in the triangle undergoing conversion to a water garden, and the flagpole in the Traffic Circle, needs to be a coherent and related visual piece, purposefully linked together, in order to be understood.

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2. The centerpiece of the current Thresher Memorial, a 129-foot flagpole, is likely to seem grossly out of place in the Traffic Circle. This flagpole will be nearly as tall as Boon Island Light. Seen from miles away, the flag will resemble a truck stop beacon off the highway. Seen from anywhere close, it will simply be a large diameter pole. People driving around the traffic circle would have to crane their necks to see the flag atop the giant spire. The **rationale** that its height represents one foot per life lost is a bit of symbolism likely to be entirely lost on most viewers.
3. The fact that the flagpole will need to be illuminated seems like a poor choice at this time of soaring energy costs. While LED lights would be highly efficient, why design a memorial at this point in time that depends on electricity to function?
4. The current design calls for planting 129 cherry trees all around the traffic circle. Cherry trees are beautiful trees of course, and their springtime bloom is a sensation in places like New York City and Washington DC. However, cherry trees are not well suited to the colder winters in Maine, and they are likely to need replacing every few years. Using plants that are tough, beautiful, and thrive in this environment, will not only look appropriate, but also be a cost savings to Kittery both in their longevity, and in their need for maintenance.
5. The black granite base around the large diameter pole will be lost in the middle of the vast rotary circle and may be used to better advantage in one of the two other sites where viewers can see it, touch it, and admire it at closer range. It could be inscribed with easy to read and accessible information about the Thresher, including the list of every person lost in this tragedy.
6. The spread-out nature of this design raises other concerns about safety. People who are inclined to get out of their vehicles to appreciate the Memorial may want to go from section to section. This would mean crossing Rogers Ave from the Town Office toward the Bagel Caboose, and then again across the very chaotic Traffic Circle.
7. The Traffic Circle currently has other war memorials. We suggest that there are ways to enhance these other memorials rather than overshadow or replace them.
8. With so many parts of the traffic circle in play due to the State DOT's improvement of Route 1, it would seem prudent to be sure the Thresher memorial is designed so that it complements and integrates with other aspects of the traffic flow and pedestrian sidewalks. If the State determines, for example, that Rogers Road Extension could be discontinued, this would open a range of other options for the design of the memorial.

Just as the group of citizens who want to illuminate the new Memorial Bridge has enlisted the assistance of a professional lighting specialist, we would hope that a group planning something as significant and permanent as a new memorial would seek input from people who have a deep understanding of landscape design. It is typical for organizations contemplating memorials to put out a Request for Proposal notice in order to keep the design process transparent, and allow for the best options to be considered.

We are eager to offer our assistance *pro bono* to work with the Thresher Memorial Committee to see the best possible project take shape that will be an effective, moving, integrated and durable commemoration of an important piece of Kittery's history.

Sincerely,

David Batchelder

Martha Petersen, Masters in Landscape Design

Peter Bowman, Former Shipyard Commander

Melissa Paly, Communications Consultant, CrossCurrent Communications

Wendy Pomeroy, Landscape Designer/Artist

Russell White, Attorney

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